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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: SHUBH HOTELS PITTSBURGH, LLC, Debtor.	Bankruptcy Case No. 10-26337 -JAD Chapter 11 Judge Jeffery A. Deller Document No. _____
PENNSYLVANIA JOINT BOARD a/w WORKERS UNITED, Movant, v. SHUBH HOTELS PITTSBURGH, LLC, Respondent.	Related to Document No. 563 AND No. 101 Hearing Date: January 31, 2011 at 10:00 a.m. Response Date: January 24, 2010

ORDER OF COURT

AND NOW, to-wit, this 31st day of January, 2011, upon consideration of the *Motion to Approve Settlement of Pennsylvania Joint Board's Motion to Release Escrowed Dues Monies in the Custody of the Debtor* (the "Motion") filed by the Pennsylvania Joint Board (the "PJB") and the Response (the "Response") of Carbon Capital II Real Estate CDO 2005-1 Ltd. and BlackRock Financial Management, Inc. as sub-special servicer to Carbon Capital II Real Estate CDO 2005-1, Ltd.'s special servicer Midland Loan Services, Inc. (together, the "Lender"), and the Court finding that due and adequate notice was given and for good cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Motion is granted as provided herein.

2. The Settlement Agreement between the PJB and the Debtor, Shubh Hotels Pittsburgh, LLC (the "Debtor") is hereby approved.

3. In consideration for the payments described in the Motion, the PJB hereby assigns to the Debtor (solely for the benefit of the bankruptcy estate as provided in paragraph 4 herein) any and all claims, rights, title, and interests, if any, it may have resulting from, arising under, and/or in connection with any of the following (collectively, the "Claims"): (i) the withholding of certain amounts for union dues from the paychecks of the Debtor's employees from March 1, 2009 through September 30, 2010 (collectively, the "Union Funds"); (ii) the use of certain bank accounts to hold such Union Funds (collectively, the "Union Bank Accounts"); and (iii) the disbursement of funds from the Union Bank Accounts. The Claims shall include, without limitation, the right to file claims, charges, and actions related to the Union Funds and Union Bank Accounts and to pursue collection and receive payment of principal, interest, fees expenses, damages, and applicable statutory penalties from those parties who authorized disbursements from the Union Bank Accounts and/or received the proceeds therefrom.

4. Pending confirmation of a plan of reorganization, the Debtor shall hold the Claims in trust for the benefit of the bankruptcy estate. Upon confirmation of a plan, the Debtor shall transfer the Claims to the creditors' trust established under the plan, or as otherwise provided in the confirmation order.

5. To the extent the Lender's collateral may have been used to fund the payments to the PJB under the Settlement Agreement, the Lender is recognized as having subrogation rights, if such rights exist, with respect to the Claims of the PJB.

6. Nothing in this Order shall be deemed as a release, waiver, or discharge of any Claims the PJB may have as described in paragraph 3 hereinabove, and all such Claims are expressly preserved.

7. The Debtor is directed to remit to counsel for the Union the sum of $34, 219.75 from the $50,000.00 which it is holding given to it by the Kamin law firm.

1-31-2011

UNITED STATES BANKRUPTCY JUDGE

FILED

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CLERK, U.S. BANKRUPTCY COURT
WEST. DIST. OF PENNSYLVANIA

Presented at Hrg. 1-31-11